

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

DENNIS STONEROOK,

Petitioner,

vs.

JOHN BALDWIN,

Respondent.

No. C10-0092-LRR

ORDER

This matter is before the court on the petitioner's application for a writ of habeas corpus. The petitioner submitted his application for a writ of habeas corpus on July 12, 2010. The paid the required filing fee.

Currently confined at the Anamosa State Penitentiary in Anamosa, Iowa, the petitioner brings this action under 28 U.S.C. § 2254 to challenge the legality of his conviction and resulting sentence. In the Iowa District Court for Mills County, the petitioner was convicted of murder in the first degree, in violation of Iowa Code sections 707.1 and 707.2. *See State v. Stonerook*, 2006 Iowa App. LEXIS 1906 (Iowa Ct. App. 2006); *State v. Stonerook*, No. FECR044245 (Mills County Dist. Ct. 2005); *see also Stonerook v. State*, 2010 Iowa App. LEXIS 144 (Iowa Ct. App. 2010); *Stonerook v. State*, No. PCCV024229 (Mills County Dist. Ct. 2009).¹

An application for a writ of habeas corpus made by a person in custody under the judgment and sentence of a state court of a state which contains two or more federal

¹ Iowa state court criminal and civil records may be accessed at the following address: http://www.iowacourts.gov/Online_Court_Services/. *See Stutzka v. McCarville*, 420 F.3d 757, 760 n.2 (8th Cir. 2005) (addressing court's ability to take judicial notice of public records).

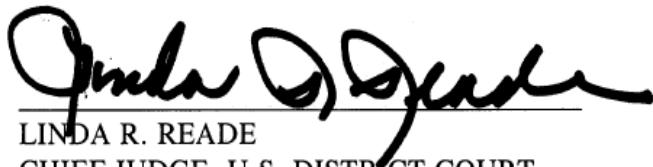
judicial districts may be filed in either the district court where the petitioner is confined or the district court where the conviction occurred. 28 U.S.C. § 2241(d). In furtherance of justice, the district court in which the application is filed may transfer the application to the other district court. *Id.* Federal courts in Iowa have chosen to hear applications attacking a state conviction or sentence in the district in which the conviction occurred.

The court transfers the application forthwith to the United States District Court for the Southern District of Iowa, the district where the conviction occurred. The clerk's office is directed to send the entire file to the Southern District at Des Moines, Iowa and retain a copy of the file.

By this order, the court expresses no opinion as to whether the petitioner's application for a writ of habeas corpus meets the requirements of 28 U.S.C. § 2254.

IT IS SO ORDERED.

DATED this 26th day of August, 2010.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA